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/Ali Makoui/
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Xiaochun Nie, et al.

Application No.: 10/716,316

Filed: 11/17/ 2003

Title: METHOD OF IMPLEMENTING
IMPROVED RATE CONTROL
FOR A MULTIMEDIA
COMPRESSION AND ENCODING
SYSTEM

Art Unit: 2621

Examiner: WERNER, DAVID N

**INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. § 1.97**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit with this Information Disclosure Statement the attached Form PTO-1449, and any necessary copies of documents listed in the 1449 form for consideration by the Examiner. The Examiner is requested to make these documents of record. Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

This Information Disclosure Statement under 37 C.F.R. § 1.97 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the

like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

This Information Disclosure Statement is submitted after the mailing of a first Office Action on the merits but before the mailing of a Final Office Action or Notice of Allowance. Accordingly, a fee is required. A fee in the amount of \$180 is enclosed.

In the unlikely event that the Commissioner determines that additional fees, extension and/or other relief is required, Applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 50-3804** referencing APLE.P0036.

Respectfully Submitted,

Date: February 19, 2009

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